United Nations CRC/C/MWI/Q/3-5

Convention on the Rights of the Child

Distr.: General
20 July 2016

Original: English
English: French and Spanish only

Committee on the Rights of the Child
Seventy-fourth session
16 January-3 February 2017
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the third to fifth periodic reports of Malawi

The State party is requested to submit in writing additional updated information (10,700 words maximum), if possible before 15 October 2016. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please provide any update on the constitutional review process for the protection of children, the measures taken to harmonize national legislation with the Convention and the steps taken to further develop and implement the comprehensive policy on children.

2. Please provide information on the measures taken to establish a comprehensive system of data collection for all of the areas covered by the Convention. Please also provide updated information on the national mechanism that is mandated to coordinate the implementation and evaluation of activities performed under the Convention.

3. Please provide information on the steps taken to improve the efficiency of resource usage, prevent corruption and strengthen the public financial management system.

4. Please provide the Committee with information on the measures taken to strengthen the monitoring role of and resources available to the Malawi Human Rights Commission.

5. Please provide updated information on the establishment of the National Registration System and the steps taken to scale up health facility-based birth registration, the use of mobile registration structures and awareness-raising activities on the existence of the National Registration Act.

6. Please provide information on:

(a) The measures taken to prohibit explicitly all forms of violence against children, including corporal punishment, in all settings, and strengthen education on

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alternative methods of discipline, and on any intention to establish a coordination mechanism to respond to violence against children;

(b) The measures taken to address police violence against children.

7. Please provide detailed and updated information on the measures taken to prevent and protect children from sexual abuse and exploitation, including to;

(a) Make one-stop centres more available;

(b) Prohibit the practice of traditional ceremonies for girls;

(c) Receive and actively investigate complaints, ensure that those found guilty of such acts are prosecuted, and ensure that victims are afforded effective remedies.

8. Please inform the Committee as to the steps taken to implement the Alternative Care Guidelines. Please explain the measures in place to accredit and regularly monitor alternative care institutions. Please provide information on mothers in prison with children.

9. Please inform the Committee as to the measures taken to effectively implement the Disability Act and the national action plan, including the Disability Trust Fund, to provide inclusive and early education, social protection and health care to children with disabilities and protect them from discrimination, including in the family.

10. Please provide information on the steps taken to protect children with albinism from all forms of discrimination.

11. Please inform the Committee as to the steps taken to address chronic malnutrition, stunting, child mortality due to malaria, neonatal conditions and preventable diseases; address the shortage of drugs and medical supplies; enact the HIV/AIDS bill; prevent sexually transmitted diseases, in particular among girls; address the high rate of teenage pregnancies; and ensure access to sexual and reproductive health services.

12. Please inform the Committee as to the measures taken to spend efficiently the resources allocated to the education sector to avoid the hidden cost of education; recruit newly qualified teachers; address the high number of dropouts, particularly among girls, and the sexual abuse of children by teachers; simplify the re-admission process for young mothers; and make schools accessible to children with disabilities.

13. Please provide information on the measures taken to ensure that unaccompanied migrant children are kept in safe homes in conditions that meet their special needs. Please also provide information about the 43 unaccompanied Ethiopian migrant children detained at Kachere Juvenile Prison.

14. Please provide information on children under 15 engaged in labour.

15. Please provide information on the measures taken to upgrade the juvenile justice system in law and practice, in line with internationally accepted standards, especially with reference to the age of criminal responsibility.

Part II

16. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions and their mandates, and institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

17. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources. Please also provide information on the measures taken to ensure that the authorities are guided by the principle of the best interests of the child in their budgetary decisions.

18. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of children engaged in child labour in the informal economy, breaking the information down by type of work, including hazardous work.

19. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number and/or rates of:

(a) Children separated from their parents;

(b) Children living in child-headed households;

(c) Children placed in institutions and with foster families;

(d) Children adopted domestically or through intercountry adoptions;

(e) Children who have benefited from the government welfare system;

(f) Allocation of resources to the primary health-care system;

(g) Infant mortality and child mortality;

(h) Teenage pregnancy and girls receiving medical and professional services for pregnancy and childbirth;

(i) Abortions;

(j) Sexually transmitted infections, including HIV/AIDS;

(k) Enrolment and completion rates, in percentages, of the relevant age groups in pre-primary schools, primary schools and secondary schools;

(l) Dropouts and repetitions.

20. Please provide, if available, updated statistical data, disaggregated by age, sex, socioeconomic background and national origin, for the past three years, on the number and/or rates of migrant children in detention settings, including juvenile and adult detention centres, and in police custody, and information on how long children are held in police custody, with reference both to those children in need of care and protection and those in conflict with the law.

21. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Not attending school;

(g) Abandoned by their families.

22. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.